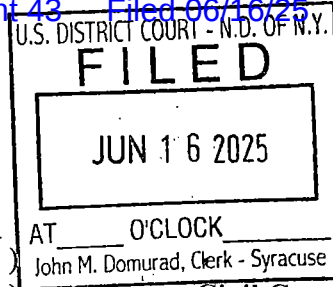


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORKWayne R. Smith Plaintiff(s)

vs.

Relton et al Defendant(s)Civil Case No.: 9:24-cv-00749
(ECC/MJK)
CIVIL
RIGHTS
COMPLAINT
PURSUANT TO
42 U.S.C. § 1983Plaintiff(s) demand(s) a trial by: ☒ JURY ☐ COURT (Select only one).

Plaintiff(s) in the above-captioned action, allege(s) as follows:

JURISDICTION

1. This is a civil action seeking relief and/or damages to defend and protect the rights guaranteed by the Constitution of the United States. This action is brought pursuant to 42 U.S.C. § 1983. The Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1343(3) and (4) and 2201.

PARTIES

2. Plaintiff: Wayne R. Smith 24-B-3346
Address: Collins Correctional Facility
Middle Rd PO Box 340
Collins N.Y. 13034

Additional Plaintiffs may be added on a separate sheet of paper.

3. a. Defendant: Oneida County
Official Position: County of Oneida
Address: Oneida County Office Building
800 Park Ave
Utica NY 13501

- b. Defendant: Tyler Pelton
Official Position: Correctional Officer
Address: Rome Police Department
301 N. James St
Rome NY 13440
- c. Defendant: Anthony Papa Badge # 233
Official Position: Correctional Officer
Address: Oneida County Jail
6075 Judd Rd
Oriskany NY 13424

Additional Defendants may be added on a separate sheet of paper.

(See attachedment for additional
Defendant)

4.

FACTS

Set forth the facts of your case which substantiate your claim of violation of your civil and/or Constitutional rights. List the events in the order they happened, naming defendants involved, dates and places.

Note: You must include allegations of wrongful conduct as to EACH and EVERY defendant in your complaint. (You may use additional sheets as necessary).

On April 6, 2024 I was brought to the
Oneida County Jail on assault charges.
Upon entering the Booking Department I
was verbally abused as to why I was
brought into custody. I was falsely
accused and ridiculed by the above
mentioned correctional Officers to the
point where they worked themselves up
to start to be aggressive towards me.
(see attached to continue)

5.

CAUSES OF ACTION

Note: You must clearly state each cause of action you assert in this lawsuit.

FIRST CAUSE OF ACTION

excessive force

SECOND CAUSE OF ACTION

failure to protect

THIRD CAUSE OF ACTION

6. PRAYER FOR RELIEF

WHEREFORE, plaintiff(s) request(s) that this Court grant the following relief:

I am seeking \$1,000,000 for the physical and mental abuse. I am seeking this because of the ongoing nightmares and facial scars I have from the assault

I declare under penalty of perjury that the foregoing is true and correct.

DATED: 06/10/2025

Wayne R. Smith 24-B-3346
Wor

Signature of Plaintiff(s)
(all Plaintiffs must sign)

02/2010

3. d. Defendant: Kyle Toepp Badge # 542
Official Position: Correctional Officer
Address: Oneida County Jail
6075 Judd Rd
Oriskany, NY 13424

4. (Continued from current page)

I was heavily sedated from my previous visit/stop at the Emergency Room @ Wynn Hospital where I was brought by Whitesboro Police. Upon entering a holding cell I was asked to undress. I was already having trouble walking and asked for assistance. I was then thrown onto the ground and physically abused, beaten, and kicked in the groin. I was beat until I lost consciousness. While unconscious I was brought to and put into what they call a strip cell where I was held for several days. For the first 3 days I was not fed or provided with fresh water or medically attended to. After several days I was finally given clothes and put in SAI status which is what they call the box and was not allowed the privileges of a general population inmate. Every other day

I was locked in my cell for 26 hours straight. My visitors were turned away. I didn't break any facility rules to be placed in such an environment.

I cannot recall all the officers names as I was sedated and most of my attackers were behind me. I would need access to the log of who was involved and the video footage of the incident (Body cams & Booking Camera's).

I have been continuously denied the grievance process in this matter and others. The County of Oneida employs the individuals who assaulted me and are responsible for the correctional officers training and any and all behavior the CO's demonstrated.

COLLINS CORRECTIONAL FACILITY

P.O. BOX 340

COLLINS, NEW YORK 14034-0340

NAME: Wayne Smith DIN: 24-B-3346

COLLINS



CORRECTIONAL FACILITY

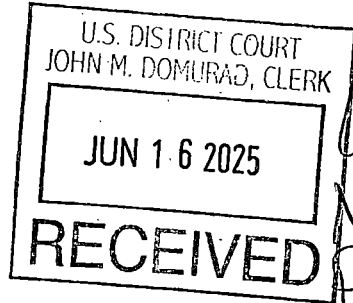
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06/11/2025

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*United States District Court
Northern District of NY*

*P.O. Box 7367
100 S. Clinton St.
Syracuse NY*

13261-7367

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(Legal Mail)